

UNITED STATES DISTRICT COURT  
DISTRICT OF MASSACHUSETTS

DENISE M. BARRY, et al.,	)	
	)	
Plaintiffs,	)	
v.	)	CIVIL ACTION
	)	NO. 05-10528-RCL
ROBERT J. MORAN, et al.,	)	
	)	
Defendants.	)	

**ORDER ON PLAINTIFFS' MOTION TO COMPEL**

This matter is before the court on the plaintiffs' "Motion to Compel" (Docket No. 69), by which the plaintiffs are seeking an order directing the defendants to produce three witnesses for depositions relating to class certification issues and to produce the names and addresses of potential class members. After consideration of the parties' submissions and their oral arguments, the court hereby ORDERS as follows:

1. The plaintiffs' motion to compel is ALLOWED IN PART and DENIED IN PART as follows:
  - a. The plaintiffs' request to depose Deputy Chief Peter Laizza and Mary Ann McHugo is ALLOWED. The depositions shall be limited to class certification issues.
  - b. The plaintiffs' request to depose Mary Kilgallen is DENIED.
  - c. The plaintiffs' request for information pertaining to potential class members is ALLOWED IN PART and DENIED IN PART. The

defendants shall produce the street names and zip codes of in-house applicants for civilian employment positions in the fire department, but are not required to produce the names of such applicants or their house numbers.

- d. The defendants shall produce the information described in paragraph c above pursuant to a confidentiality order, the terms of which shall be agreed to by the parties. If the parties are unable to reach agreement on the terms of such order, each party shall separately file a proposed order.

2. The parties shall comply with the following schedule:

- a. The parties shall complete all remaining discovery concerning class certification by **June 30, 2007**.
- b. The plaintiffs' shall file any motion for class certification by **July 31, 2007**.
- c. The defendants shall file any response to the plaintiffs' motion for class certification by **August 31, 2007**.
- d. Any reply to the defendants' response shall be filed by **September 14, 2007**.

DATED: May 2, 2007

/ s / Judith Gail Dein  
Judith Gail Dein  
United States Magistrate Judge